THE EXAMINER.

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THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few. SWIFT.

No. 158.

REMARKS ON THE CASE OF CAPTAIN FOSKETT, AS DETAILED IN A LATE PAMPHLET ENTITLED "THE RIGHTS OF THE ARMY VINDICATED."

It is a maxim, as commonly acknowledged as it is violated in general conversation, that next to the possession of a good conscience, is that of a good reputation. The one, morally speaking, it is luckily out of the power of one's fellow-creatures to injure; the latter is often at their mercy; and to add double mortification to the misfortune, it's sufferings are usually to be traced to the most insignificant workings of human folly,—to the weakest side of our nature, and the most paltry part of our species. When persons of this description are in possession of rank and power, they acquire a monstrous strength, in proportion as their very situation influences a great number of weak minds and a much greater of base ones; and not only so, but because it becomes dangerous even to expose them. In private life, meanness and hypocrisy naturally tend to defeat themselves; and he, who persecutes a troublesome object, or smiles cordially in your face after attempting to blast your reputation, assists in doing you justice by the very methods he takes to do otherwise: but a Prince may use the most wretched arts to degrade and ruin a fellow-creature, and may at the same time, in spite of holding up his own character to infamy, really effect his purpose as far as worldly good and the best prospects of life are concerned. In the continental governments, such cases have been notorious; and it is equally notorious, that they directly tended to effect the overthrow of those governments; for when imbecility thus governs and destroys, power will desert it, sooner or later, and return to the hands of the indignant people from whom it emanated. That such a persecution however should be found triumphant in England, where the laws are so regardless of persons and so express on the subject of public injuries, would excite as much astonishment as indignation, were it not already discovered that one sort of corruption in a state,—one sort of evasion of the laws,—is productive of every other species of it;—and that even the laws themselves, by the present unnatural definition of libel, are not seldom rendered subservient to the offenders of them, while they are converted into instruments of punishment for their defenders.

Well experienced on this head, and at the present moment threatened with punishment for helping to stigmatize a degrading barbarism in our military system, it might be asked, why the *Examiner* should studiously take up another dispute between a Prince and an injured Officer, as if bent upon provoking the destructive visitations of the law?—Truly, it has no such intentions, whatever the law may please to do on its own part; and none but certain worldly gentlemen, who with all due deference to their cunning, are not the most far-sighted of men, either in policy or in enjoyment, would value themselves on the question. Danger must be hazarded some where, or corruption will be opposed no where; and, not to mention that the hazard of speaking boldly from principle, is highly exaggerated by the fears of those who cannot venture upon it, there is really an infinite satisfaction in doing one's duty on such occasions, however inconceivable it may be even to Sir VICARY himself. But the present subject demands the attention of a free Journal on other more immediate accounts. Firstly, the discussion of it by the Press is due to an injured Gentleman, who has no other resource towards exposing his oppressors, and recovering, if possible, his prospects in life:—Secondly, it discloses some further causes, to those already before the Public at large, of the increasing and serious unpopularity of the Royal Princes;—and thirdly, it helps to throw light on the alarming circumstances connected with his MAJESTY's tendency to relapses of his disorder, and his consequent incapacity of government.

HENRY FOSKETT, Esq. late Senior Captain in the 15th Light Dragoons, appears to have entered that regiment fourteen years ago, at the age of eighteen. One of his friends, formerly a brother-officer, in a letter to a Member of Parliament, represents him as "a young man of moderate fortune, whose father died when he was in infancy, leaving a widow and a large family;" and we are informed a few lines further, that "the greater part of his fortune is embarked in his profession, as he purchased all his commissions." "He was always considered by his brother officers," observes the writer, and the observation is confirmed by every one of those gentlemen who appears to have been intimate with him, "as a very gentlemanly young man, very steady in the performance of his duty, and, in every respect, a good soldier."—Notwithstanding, however, the great predilection of Captain FOSKETT for his profession, the embarkation of the principal part of his little fortune in it, his continuance and advancement in the same regiment, and the cordiality with which he was regarded by the most respectable of it's members, he found himself, in the course of last year, compelled to throw up his commission in the service, in consequence of the wrongs he experienced from his Colonel the Duke of CUMBERLAND. These wrongs are described by the pamphlet as "of three descriptions:—an un-

just and irregular obstruction of promotion;—a vexatious and unwarrantable rejection of numerous and urgent solicitations for leave of absence, according to the established usage of the army;—and a most cruel and wanton exercise of power in preventing him from accompanying the regiment, of which he was Senior Captain, on foreign service:"—to which must be added, as the result and climax of all three, and as forming in consequence the chief ground of complaint, the refusal of Sir DAVID DUNDAS, the Commander in Chief, to lay before his MAJESTY a Petition from Captain FOSKETT on the subject.

If we are to follow the example of General CRAUFURD in the House of Commons, and take the word of the Duke of CUMBERLAND and two of his favorite officers, this treatment was well merited on the Captain's part. It was asserted, and the General devoutly believed every assertion, that Captain FOSKETT was refused the regular promotion to a Majority because he was "a negligent and inefficient troop officer;"—that the unfitness of his troop for service was the cause of his detention from Spain and of it's subsequent dissolution;—and that, above all, his conduct as second in a duel, which had taken place some years before, was so barbarous and even "atrocious," that, to use the words of his Royal Highness, it bore "the appearance of murder." It was upon these "grounds," that the Duke not only refused the Captain his regular promotion, and did all in his power to raise other officers over his head, but used all kinds of petty provocations to make him quit the regiment; denied him, and when he could no longer deny, delayed, the customary leaves of absence; repeated the above "assertions" whenever an explanation was requested; refused him over and over again a legal investigation into the circumstances; and finally, with the assistance of the more serious refusal of Sir DAVID DUNDAS, succeeded in driving him from the army, as the reader has already seen. Such are the charges, such the *proofs* of them, and such has been the punishment; so that, regarding the matter as it is thus presented to us, we are desired to believe, upon the word of the Duke of CUMBERLAND, of two favourite Officers, and of General CRAUFURD, M. P., that the said Duke is an excellent and truly dignified Colonel;—the said Captain a reprobate and no soldier;—and the said General the most impartial, and at the same time the most convinced, of judges.

But Captain FOSKETT does not deal in assertion; and he gives very different reasons for what he has suffered. His Royal Highness the Duke of CUMBERLAND is already pretty well known to the public. He is a very well-dressing personage, somewhat prim in the waist, who delights on particular occasions to sit in the gallery of the House of Commons, is exceedingly discerning in caps and jackets, and possesses a wholesome character for military discipline, being almost the only Colonel in the service, who keeps up the humane and truly English custom of picketting. For "several years," it seems, Captain FOSKETT had the unmixed honour of this Prince's applause. His Royal Highness "never spoke of him but in terms of approbation;" so that we are bound to believe that the Captain conducted himself to the perfect satisfaction of his Colonel; was regular, skilful, assiduous;—obedient to those above him, and altogether exemplary to those below.—But short is princely favour, and very small are the causes of it's extinction. It was at the latter end of the year 1804, three years and upwards since the Duke obtained the command of the Fifteenth Dragoons, that Captain FOSKETT "had the misfortune to incur the displeasure of his Royal Highness;"—and what, gentle Reader, do you think was the cause?—Some new appointments, arms, cloaks, &c. had arrived in consequence of the addition of two new troops to that regiment; and it is customary, on such occasions, in order to equalize as much as possible the appearance and condition of a regiment, to divide them generally among the troops, "the old troops relinquishing to the new ones a quantity of their former appointments equivalent to their proportion of the fresh supply." Capt. FOSKETT understanding that it was intended to do otherwise, joined with the two Senior Captains in a respectful representation to Colonel ANSON, which had the desired effect, but extremely mortified his Royal Highness, who, deprived perhaps of the expected happiness of seeing his two new troops, prancing about in the sunshine, all in rich array, manifested his princely displeasure thereat;—"so obvious indeed," says the pamphlet, "was the displeasure of H. R. H. that the officers observed, that Captain FOSKETT *was in the black book.*"—So much for cause the first.—This offence, aggravated of course by the subsequent manly and independent conduct of the culprit, who "could not cringe," and "fawn," was visited in the Autumn of the *following year*, by an opportunity which His Royal Highness took of "wounding his feelings most deeply, by displacing him from the command of a squadron, ordering him into the rear, and putting a junior Officer in his station. The ostensible cause for exposing him to such an indignity, was a trivial loss of distance in one of the manœuvres." The loss of distance, thus constituting the first shadow of a pretence for the Duke's displeasure during a lapse of eight or nine months, Captain FOSKETT undertook and earnestly entreated permission to prove unimputable to himself, but without avail; and the punishment, even granting that any was deserved, was of "so extraordinary a severity," that in the opinion of "other Officers" as well as Capt. F. it was a marked and studied insult, intended to have the effect of driving him from the regiment.—Cause the second was as follows: Colonel ANSON, who had commanded the 15th Light Dragoons between four and five years, to the great satisfaction of Officers and men, "if indeed the term *command* could in any sense be applied to his situation," at length resolved to quit the regiment in consequence of "the harsh and mortifying treatment" he had endured from the Duke of CUMBERLAND, who wished to have another Officer in his place; and the Colonel accordingly

removed to the command of the 16th Light Dragoons, in which situation he has since distinguished himself in Spain, and obtained the thanks of Parliament. The Officers, when he was about to leave them, "passed a resolution to present him with a sword, in testimony of their respect and affection," a proceeding, which, joined with the evident partiality of the whole regiment for him, was so offensive to the Duke, that the Officers, seeing how matters went, actually "came to a resolution to *rescind* their former vote." Captain Foskett, and one other Officer, justly moved at so strange and paltry an inconsistency, refused their consent to it; and the Duke's magnanimity was of course excited into two-fold indignation at this fresh instance of a spirit so unlike his own. Capt. Foskett therefore, presenting such an unpleasant obstacle to the Duke's wishes in these and other matters, was by all means to be removed, if insult and injustice could effect it; and hence arose cause the third:—An attempt was made in direct violation of the Army Regulations, and of all common decency, to set over his head a Captain Broadhurst, a gentleman of fortune, who was to be allowed to purchase, at a large price, the very promotion to which Captain F. was entitled, but which he would and could purchase only at the regulated price. "An army-broker, Mr. Froome," a person well known in the affairs of Greenwood and Co. the favourite army-agents, "repaired to Weymouth, and the business again proceeded with so much activity, and with such apparent, and indeed, *reported* certainty of success, that Capt. F., justly alarmed, felt it incumbent upon him to apply for leave of absence, for the purpose of waiting on his Royal Highness the (then) Commander in Chief, and of endeavouring, by his personal representations and exertions, to counteract the machinations which were going forward." Unluckily, Capt. F. succeeded in this instance also, in spite of the vexatious delays with which his applications for leave of absence were resisted for *five* months. Nothing therefore was left to the Duke but to seize another opportunity of mortifying, nay, it would seem, of maddening into insubordination, the man whose firmness he could not move, and whose very presence must have become an eyesore to him. This produced cause the fourth, a more galling one perhaps than any of the rest. When the regiment was ordered for Spain in 1808, Capt. Foskett, who was the senior officer of his rank,—who had already served in Holland, and whose ardent desire to distinguish and advance himself was well known,—was ordered, in contradiction to established custom, to remain at home with the recruiting squadron. Upon this, after ineffectual representations to the commanding officer and to the Duke himself, he applied to his Royal Highness the then Commander in Chief, and *again* succeeded, as far as to have the Duke of Cumberland's arrangement rescinded; but was unable to take advantage of his permission to join the regiment, which at that time was about to return home. Thus heaping defeat on the unjust measures of the Duke, one after another, but experiencing in return the most galling insults, and finding an avowed determination on the part of his Royal Highness never to recommend him for promotion, Captain Foskett laid his case, in July, before Sir David Dundas, who had succeeded to the Duke of York's situation, as Commander in Chief. "The communication was accompanied with testimonials to the *undeviating* good conduct of the complainant, from almost every commanding officer of the regiment, under whom he had served." They are published among others in the pamphlet, and form an overwhelming mass of evidence against the ridiculous charges brought forward by the Duke of Cumberland, who, the reader will observe, can muster but two officers to agree with him, with the exception of his Adjutant, and all that we hear from these even is upon the hearsay of General Crawfurd; while Captain Foskett produces a *multitude* of gentlemen in his favour, whose letters are full of respect and cordiality. Sir David however, grossly violating the common duties of his office, refused to examine into the business and lay it before his Majesty, alleging that he did "not see sufficient grounds" for so doing; whereas, his own view of the matter had nothing to do with the duty expressly laid down for a Commmander in Chief in the 12th Section of the Articles of War, in which it it declared without any exception or reservation, that "if any officer shall *think* himself wronged, &c. &c. the Commander in Chief is hereby required to examine into such complaint, and either by himself, or by the Secretary at War, to make his report to his Majesty thereupon, in order to receive his Majesty's further directions." To grace the refusal, an offer was made him, still more degrading to the offerer than to himself, of promotion in a regiment of infantry, which he refused with becoming spirit, and which, if no other proofs abounded, would alone be sufficient to shew in what light his complaints must have been really considered.—At length, utterly disgusted and tired out, he made his final and well-known application for redress to the House of Commons, where, after having seen the aspersions on his character credited by nobody but General Crawfurd, and having been gratified and honoured by the warm support of Mr. Lyttleton and Mr. Whitbread, &c., his petition was nevertheless thrown out, upon the ground that the Commons could not interfere with the military prerogatives of the executive. Capt. F. therefore gave up his commission, and is at this moment, though full of ardour for the military service, a private and unemployed individual. During the debate in Parliament, much was said and much exaggerated, respecting the duel in which this gentleman had four years since been a second. It was represented as the consequence of a quarrel between two foolish boys, about 17 or 18 years of age, inflamed and rendered desperate by Capt. F., who had permitted them to use hair-triggers, to fire six shots each, and after the first three to advance

one pace each time. These circumstances the General implicitly believed from report, and yet they were all false. It is true, the younger of the duellists was but 19 years of age; but the General admitted the provocation of the duel; and all that Capt. F. had done on the occasion was to attend this young man to the field: he regretted, as "many persons witnessed," the "difficulty and indeed impossibility of bringing the parties to any terms of accommodation consistent with propriety and the honour of his principal;" hair triggers were not used; the shot were five, not six; and the disputants fired the first three at ten paces, the two last at eight. Whatever we may think of the unusual obstinacy of this combat, or however we may [illegible] or disapprove Capt. F.'s opinions on the subject and the practise of duelling in general, still his conduct on the occasion must be fairly stated; and above all, what has it to do with the principal grounds of complaint? The operations of the Duke of CUMBERLAND against him began *eight months* before the circumstance; and Sir DAVID DUNDAS, for his part, had nothing in the world to do with it, his only business being to examine into Capt. F.'s statement and to lay it before the King. At the very moment that the Duke was privately as well as publicly endeavouring to injure his character in the most serious manner, his Royal Highness really thought so little of these matters, or acted with so gross and incredible a violation of his own feelings, if he had any, as to invite him to partake of his company and his social hours. The Duke had just been stating by letter to the Adjutant-General his bad opinion of Capt. FOSKETT; and yet "it is a fact," says the pamphlet, "to which Captain FOSKETT, if he did not confirm it by the pledge of his most solemn assurance, could scarcely expect a British public to give credit, that, on the very day in which he received from the Adjutant-General a copy of the foregoing letter, the Duke of CUMBERLAND condescended in (apparently) the most friendly manner to invite him to dine with his Royal Highness at Kew!" (p. 148.) Capt. F. luckily knew his companion, and "declined the insidious invitation."

Such are the main facts of a case so important in every respect, whether considered with regard to individual comfort, the rights of the army in general, the character of that army and its *commanders*, or the national prosperity, independence, and existence. The present article has extended to such length, that the particular deductions to be drawn from it are reserved for next week, when perhaps we shall see more than one curious reason why Sir DAVID DUNDAS, in the plenitude of his incapacity for office, could not consent to lay Capt. FOSKETT's statement before his Majesty.

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FOREIGN INTELLIGENCE.

INTELLIGENCE FROM THE ARMIES IN SPAIN.

Paris, January 19, 1811.

SIEGE OF CADIZ.—The Duke of Belluno, desirous of having the whole of his flotilla united in the canal of the Trocadero, where it would only be between five and six hundred toises from the isthmus which joins Cadiz to the Continent, had already caused the flotilla to be conveyed from San Lucar as far as Rota and Port St. Mary's. Several glorious actions had been sustained by this flotilla, but the most difficult remained to be undertaken. It was necessary to pass within 300 toises of the fort of Puntales, which is upon the isthmus of Cadiz, and surrounded by a numerous groupe of floating batteries and the enemy's gun-boats. It was, therefore, to be feared that the French flotilla would suffer considerably in attempting to double point Matagorda. The Duke of Belluno, therefore, resolved to convey it by land from the river San Pedro to the Trocadero. The flotilla was dragged across this space of 500 toises upon rollers, to the great satisfaction of the army. By the 11th of December all the boats belonging to the flotilla were in the Trocadero. That instant our fire opened. Red-hot balls and shells were discharged against the town. We succeeded in throwing bomb shells of twelve pounds to the distance of 2050 toises, and howitzer-shells of eight pounds as far as 2150 toises. Considerable uproar prevails in Cadiz: they are in great agitation there; the gates are shut, and it is only with the greatest precautions that any communication is kept up with the suburbs. The scarcity in Cadiz is extreme, and the yellow fever makes great ravages. Fortunately the French armies of Andalusia, Granada, and Murcia, are in the best state of health. The greatest tranquillity prevails in the district of the Army of the South. Travelling goes on there as in France, without any kind of escort.

GRANADA.—General Sebastiani has broken ground before Marbella. Since the success which he obtained over Blake, all the bands of Murcia are dispersed.

CASTILE.—Order and tranquillity prevail more and more in the provinces of Madrid, Toledo, Avila, Segovia, &c. The moveable columns render the greatest services and incessantly pursue the Guerillas, and bands of brigands, whose numbers are daily diminishing.

ASTURIAS.—General Bonnet occupies the Asturias with his corps.—On the 29th of November the insurgents marched forward to attack the advanced guard of Gen. Bonnet, commanded by Gen. Valletaux. The reconnoitring parties fell in with the enemy on the roads of Miranda and Belmonte. The enemy soon came in sight to the number of 6000, covering all the summits of the mountain. A brisk fire of musketry commenced. The insurgents had even succeeded in gaining a few toises of ground, when the Commandant Lenouand, with some reinforcements, reached the position of Valletaux, who availed himself of this event to detach two companies of the 118th to turn the enemy's left. This manœuvre struck them with such terror that they fell back; the centre soon resumed its positions; a charge was beaten at all points; and the enemy's ranks being every where broken in upon, they were compelled to give way to the impetuosity of our heroes, who pursued them as far as Belmonte and Miranda, the roads leading to which places were covered with the slain. This affair, in which 1500 Frenchmen defeated 6000 insurgents, does great honour to Gen. Valletaux. In the government of Valladolid, that of Burgos, and that of Biscay, there is no where any considerable body of insurgents. A few bands conceal themselves in the rocks to seize upon solitary passengers. They are frequently dispersed by our patroles, and their number daily diminishes.

CATALONIA.—On the 13th, two ships of the line, a frigate, and about four or five more English vessels, appeared off Palamos, and landed 900 Englishmen, with four field-pieces, to the westward of the port. In the mean time, a frigate, a corvette, and a brig, made for the other side, and landed 200 men, in order to take possession of the port. Those 1100 English thought themselves sure of success; but the Chief of Battalion Emyon, of the third corps, who had posted his battalion on the heights, seized the favourable moment to fall upon the enemy, broke their line, drove them back upon the old walls of the town, entered the place pell-mell with them, and pursued them to their very boats. Of the 1100 English that disembarked, 800 were killed or taken; and it is not quite certain that so many as 300 escaped. The next day the waves threw on

shore a number of English dead bodies. Five officers, including Capt. James, belonging to one of the frigates, several midshipmen, and 150 soldiers, have been marched prisoners to Perpignan. We had 8 men killed and 13 wounded. The English vessels no sooner learnt the disastrous issue of their expedition, than they set sail and disappeared. It were to be wished that the English naval forces, who, upon this occasion, thought proper to quit their vessels and fight upon land, were frequently seized with such fits of folly.

ARRAGON.—Gen. Suchet, Commander of the Army of Arragon, invested Tortosa on the 13th December. On the 1st of January, after thirteen days of open trenches, Tortosa and its forts surrendered at discretion. The garrison, consisting of 9500 men, including 400 officers, 14 stand of colours, 192 pieces of artillery, two millions of cartridges, 10,000 muskets, 200,000 weight of powder, 500,000 weight of lead, and a great quantity of provisions, have fallen into our hands. The important capture of Tortosa renders us complete masters of the course of the Ebro, and entirely cuts off Valencia from Catalonia. The Duke of Tarento immediately marched upon Tarragona, the only strong place remaining to the insurgents in all that part of Spain. Gen. Suchet writes, that the inhabitants of Arragon evince the best disposition, and that this province, after being one of the most agitated, is now one of the most tranquil in Spain: that the revolutionary furor has entirely ceased, and given place, as usual, to sentiments diametrically opposite. The inhabitants of the south, the centre, and the north of Spain, are equally tired out as those of Arragon, and feel the same hatred towards those who have sacrificed their country, and the same desire for the restoration of tranquillity. English influence is destroyed, and all the symptoms indicate that the fever is at an end. *The inhabitants loudly call for being united to the Empire.*

PORTUGAL.

PRIVATE LETTER.

LISBON, JAN. 12.—Mortier's division of between 12 and 14,000 men is fast advancing upon Badajos, to co-operate with Massena, who remains at Santarem with nearly 50,000 men, including all his reinforcements. A deserter who arrived in our camp on the 10th, tells us that operations will not begin until next month, when the French force will be increased to 80,000 men, by the detachments for which Massena is waiting from Valladolid, Madrid, &c.—The day before yesterday, a party of us went up the Tagus, to observe how matters were there. The French batteries are pushed forward into the river a great way, so as much to annoy any thing that is going up, but it is impossible for him to prevent the passage entirely. —Colonel Wilson has written a letter to Lord Wellington, informing him, that he had been obliged to fall back. He does not speak in high terms of his troops, which has a little dispirited us. Colonel Trant has left Coimbra to the 9th corps, which now occupies it. General Silviera has taken 700 prisoners from the same body, by hanging on their rear and flanks during their march, but in doing this, he suffered a loss of about three hundred men. Colonel Trant expects reinforcements from Oporto, on the road to which he has established himself, with the view of opposing any attempt that way, which is not very probable.—Our out-posts and picquets skirmish as usual, without much injury on either side. Our army is not so healthy as we could wish, but we are not much alarmed.—The rear-guard of Massena has plundered the territory in the neighbourhood of Castello Branco, and more mischief would have been done, but for the want of heavy artillery. They say that some French are advancing by Spanish Estremadura, in consequence of which, our Government has given orders to withdraw in that direction, all wheat and other provisions—species of portable property that may be useful to the enemy.

SPAIN.

THE CORTES.

CADIZ, DEC. 29.—BAHUL rose, and made the following motion:—"All acts and treaties made by Kings of Spain, in a state of captivity, and prejudicial to the nation, shall be declared null and void;" which he supported by a very impressive and argumentative speech.

ARGUELLES seconded the motion, and said, that Bonaparte had preserved the life of Ferdinand VII. and his family, for the purpose of introducing a division of interests into Spain, and obtain by intrigues what he was not able to effectuate by arms. He alluded to the case of Baron Kolly, and added that, from that moment the public opinion ought to have been prepared to meet events of the most extraordinary description. "Let us only suppose," he said, "that Ferdinand may be compelled to contract one of those marriages which have always proved an inexhaustible source of calamities for Spain; the tyrant may send him to Spain, accompanied by an army apparently national, composed of Spanish prisoners who are detained in France. Should we hesitate a moment as to the part we ought to take? The Cortes are bound by oath to preserve the independence and integrity of the nation. They must keep that oath, or be buried under its ruins. The Usurper may attempt to treat with the Congress, promising to restore the King, to make improvements and reform in the nation, to evacuate the Peninsula. But what security, what guarantee will he offer? Let us act as the Roman Senate did with Hannibal, when at the gates of Rome he desired to treat on peace—"Let him quit the territory of the republic, and we will listen to his proposal." Since the league of Cambray (he proceeded) France has constantly aimed at the same end, to lord it over Europe; and Louis XIV. who was but another Bonaparte of his time, had no other view when he said, "there are no longer, Pyrences."

LLANO made the following proposition—that should Ferdinand arrive, accompanied by a Spanish army, and sent by Napoleon, hostilities should be commenced against him under *black banners, that is, without giving quarter.* The Sitting was adjourned.

PROVINCIAL INTELLIGENCE.

MAIDSTONE, JAN. 29.—On Tuesday the coach from London to this town, having proceeded too near the top of Wrotham-hill, by about noon on that day, the snow at the time being very much drifted on each side of the road, thereby rendering the intervening passages difficult for two carriages to pass—a gentleman in a gig going upwards, met the coach, and the coachman, James Leaver, in attempting to make way through the snow on the off-side, supposed it would yield to the coach-wheels, but (from the frost of the preceding days, which had not thawed) it proved to be a solid mass, and impenetrable to the coach-wheels; by the sudden jerk to perforate it, the pole broke, and the coachman was thrown over the foot-board, the coach falling on him at the instant, he was literally killed on the spot, every part of his body being mutilated in a shocking manner. The traces, after the coach had been dragged a short distance, with the unfortunate man under it, broke, and disengaged the horses, which proceeded onwards, and which happened luckily for the inside passengers, who thereby escaped unhurt; but a female passenger on the outside had her thigh broke.

A Meeting-house, at Wye, in Kent, in the Wesleyan connection, was lately assailed for several successive Sundays, in the evening, when the congregation were assembled, by a number of infamous persons, with stones, bricks, &c. by which the windows, window-shutters, and doors were broken in pieces. Five of the rioters have been taken into custody, against whom a prosecution has very properly been instituted.

The following scandalous transaction has been published in the papers, under the head of—"*Summary Punishment*:—A couple of Jews being apprehended on Tuesday week, at Bristol, in the act of stealing several articles from the stables of the White Hart Inn, were hauled into the yard by two stout fellows, whither the whole fraternity of the *currycomb* were immediately summoned. The long beards of the disciples were then stuck together by pitch, (their hands being previously tied together behind them) and while thus face to face, a profusion of snuff, mixed with hellebore, was administered, which caused them to sneeze in such a manner, that, by the frequent and violent bobbing of noses one against the other, a copious stream of blood issued from either nostril, while the enraged culprits were kicking and capering about in all directions; and it was not until they asked forgiveness, and avowed never again to commit depredations upon people's property, that they were released from their delectable situation, by cutting their beards asunder with a pair of shears."

A few days since, an unfortunate man at Dalmamain, near Inverness, who had drank whisky to excess in consequence of a trifling bet, was carried home a corpse to his own house, where his father lay ill. The poor man was so much affected by the circumstance that he died the same evening. Besides this, a widow and family are left the destitute victims of folly and intemperance.—The same day, a woman in Strawthairn, having gone to a neighbouring hamlet for a supply of whisky, to regale her husband and his friends, and having returned in a state of intoxication, was inhumanly thrust out of doors, and found dead next morning a few yards from the house. The husband has been since apprehended.

On Thursday week, Leeds Castle, in Kent, was broke into by some persons, and robbed of plate to a considerable amount, with which they got off undiscovered; the depredators, in order to get across the mote, took a large gate and laid a door upon it, by which means they obtained possession of a boat, and accomplished the robbery.

On Friday week, a servant girl of Lieutenant-Colonel Ken's, at the Army Depot, Isle of Wight, poisoned herself by taken arsenic. It appeared in evidence she was five months with child, and it is thought she only meant to destroy the child. She told the Surgeon who attended her she took it on purpose to destroy herself. The Jury returned a verdict of *Felo de se*, and she was buried in the high road, near the Barracks. She was a very fine young woman, about 20 years of age.

A melancholy circumstance has happened within these few days at Newark, which is the subject of much conversation.—On the 17th instant, the passengers by the Highflyer coach dined as usual. A bottle of wine was ordered, on tasting which one of the passengers observed that it had an unpleasant flavour, and begged that it might be changed. The waiter took away the bottle; but thought he had met with one of those travellers whom nothing can please at an inn; he therefore poured into a fresh decanter half the wine, and added sufficient from another bottle to make up the quantity. This he took into the room, and the greatest part was drank by the passengers. But when the coach proceeded to Grantley, the passengers who had partook of the wine experienced a loathing and disagreeable sickness, which, with one gentleman in particular, increased to an alarming degree. The more melancholy part of the story remains to be told. The half of the bottle of wine which the waiter had kept in the decanter was put aside, for the purpose of mixing negus. In the evening Mr. Bland, an Attorney, of Newark, went into the same house, and drank a glass or two of wine and water. He returned home and went to bed, but was taken so ill in the night, that Mrs. Bland sent for his brother, an apothecary in the town; before he arrived, however, the sufferer was dead. An inquest was held on the body on Saturday, and the Jury, after the fullest inquiry, and the strictest examination of the Surgeons by whom the body was opened, returned a verdict of—*Died by poison.*—(*Boston Gazette, Jan.* 29.)

A most sanguinary battle, for one hundred guineas and a purse of twenty, was fought on Monday, at Hazeley Commons, Hants, between an Oxfordshire man of the name of Woodcock, and a professional bruiser of Somersetshire, named Tring, who was backed by Capt. Hicks. In the first round Tring was knocked down after a dreadful conflict. In the fourth round both the combatants were *blind*, but they fought in that state twenty minutes, when Tring got a *broken jaw*, and was beat nearly lifeless!

A fatal pugilistic contest took place on Wednesday se'nnight, at Rollestone, near Burton-upon-Trent. On the preceding evening, Charles Beale, a farmer, from Stretten, and Stringer Tonks, a basket-maker, of Repton, having quarrelled, agreed to meet the next day at Rollestone, to decide their dispute.—The constable of the parish was present as stake-holder!—The combatants fought with a determination and courage seldom witnessed, until the 81st round, when Tonks struck Beale a dreadful blow under the ear, and death terminated the fight!!

AGRICULTURAL REPORT FOR JANUARY.

The very severe weather of last month has, in some degree, injured the turnips and the brassica species; but, although short in its duration, it has rendered the most important advantages to agriculture, by destroying the larvæ in the nidus of the slug and insect tribes, that commit great depredations upon the tender plants in the spring.

The flag of the young wheats has, in exposed situations, changed its colour from a livid green to russet brown; but the plant has received no injury, not even the latest sown.

The young clovers and grasses have changed colour from the same cause, but without their roots being in the least injured.

The severe frost has had the best effect on tenacious soils, by giving them a mechanical arrangement (highly conducive to the fructification of the ensuing spring crops), by enlarging the interstices to permit the water to percolate freely, and facilitate the progress of the spreading roots.

The return of mild weather is also very acceptable, on account of the scarcity of cattle food, as it will not only prevent an increasing consumption, but will bring forward the early spring crops for soiling, which have become such valuable resources in modern agriculture.

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Monday, Jan. 28.

THE REGENCY BILL.

Previously to the Report being brought up, Lord GROSVENOR and the Duke of SUSSEX protested strongly against the proceedings adopted by Ministers. His Royal Highness said, among other things, that instead of diminishing, they ought if possible to increase the powers of the Regent, as, from the temporary nature of his office, he would labour under obvious disadvantages. But Ministers seemed desirous of raising a sort of fourth estate, for the purpose of crippling and thwarting his measures.

After the Report had been read,

Lord GRENVILLE proposed an amendment, which went to limit the Restrictions on the Regent to six months from the time of passing the Bill.

Lord SIDMOUTH opposed the amendment. A material change for the better had taken place in his Majesty's disorder; but the Physicians could not conjecture what might be its duration.

The Marquis of STAFFORD contended, that in viewing the present question, all personal considerations should be kept out out of sight. There were circumstances in which restrictions might justly be considered as necessary. Such were the circumstances of 1788. Every Noble Lord must feel how different were the circumstances of that period from those of the present. We were then at peace—we were now at war with almost all Europe. The King's age was also a circumstance that must now strike every one. His Majesty had now reached a period of life which the generality of mankind did not attain. The restrictions to be imposed now on the Regent should not be measured on the rule of those which it might have been proper to impose in 1788.

Lord ELDON (Chancellor) declared, that he had never acted without consulting the Physicians; but if he saw it was his duty to act in opposition to that opinion, he would think himself bound so to act. He did not know what the nature of the crime of that man would be who did not act according to his conscience, and in allegiance to his King. As to the opinions of the Physicians on certain points, he would not be influenced by them. In these respects they were as ignorant as any man not of the medical profession; and they were ready to acknowledge the uncertainty of all medical prognostics. They would not therefore pronounce any certain opinion as to the precise period of his Majesty's recovery. And were they also to say his Majesty's recovery would be speedy, or if they said it would not be speedy, the authority on either side would have no weight with him. He would not believe the prediction on that authority. Of this, however, he was convinced, that there was now a very material amendment in the state of his Majesty's health. This he believed on his salvation, and if he were called upon to render an account of it, he would distinctly say, there was a most material amendment in his Majesty's case. Much was said about the difference between the case of 1788 and the present; but he had heard nothing that justified the distinction as to the line to be pursued on the present occasion. Though he should differ from all the world, still he would hold to his own opinion, because it was an opinion which he had maturely and conscientiously formed. Whatever might be the conjectures of the Physicians as to the precise point of time of the King's recovery, they could say nothing positive and certain. As well might they attempt to say, "Let there be light" on the royal mind, "and there was light." He was ready to admit, that all the prerogatives of the Crown were for the good of the people, and he still trusted they would be exercised again by his Majesty.

Earl GREY regarded the whole system as injurious to the country, to the Monarchy, and to the Monarch, for whom the Learned Lord professed such a solicitous attachment.—His duty compelled him to arraign the Noble and Learned Lord, for the conduct he had pursued, a conduct which he would describe by no less a name than that of *treason*. The Noble and Learned Lord asked, "What would be the nature of the crime of that man who would act against his conscience, and in defiance of the allegiance which he owed to his Sovereign? He would ask, What would be the character of the crime committed by the man who, when the King's *incapacity* to exercise the Royal Functions was avowed and proved, could come down to that House and declare that there was no suspension of the Royal Authority, and who would put the Great Seal to acts when he was not authorised so to do? He would not hesitate to say that the crime of such a man was that of treason to the country and the Constitution. He would not impute any motive to the Noble and Learned Lord; but such as he thought his conduct should be guided by; but when he talked of the *speedy recovery* of his Majesty, and next said that the period of his recovery was indifferent to the question, he spoke a language which to him was only unintelligible. The Noble and Learned Lord seems to pay little or no respect to the opinions of the Physicians; he will give no credit to these opinions, unless they have the concurrence of his conscience. Yet that same Noble and Learned Lord had stated, on a former occasion, that the Physicians were the best able to give an opinion in these matters, and on the faith of their opinion gave their Lordships to understand that there was reason to expect his Majesty's speedy recovery.—[The LORD CHANCELLOR here denied that he had ever used the word speedy.]—Lord Grey wished the Noble and Learned Lord would not interrupt him, but set him right when he had concluded his speech. That the Noble and Learned Lord had used the terms "speedy recovery," he would again repeat; and for the accuracy of the assertion, he would refer to the recollections of their Lordships. Must they not recollect that it was on the expectation of a speedy recovery, that the Noble and Learned Lord and his colleagues had prevailed on the House to adjourn for a fortnight? He wished the Noble and Learned Lord would now state to the House what new light it was which had so broken in upon him, as to induce him to depart from what he had so confidently stated on more than one occasion? But the Noble and Learned Lord now assures the House, that a most material amendment has taken place in his Majesty's health. Upon what authority does he make that statement? Not from the opinion of the Physicians, for which he has such little respect; but from the bias of his own mind and the dictates of his own conscience. Before, however, the House gives implicit belief to that assertion, however agreeable, should it prove true, they should have some *better authority* than that of the Noble and Learned Lord. He, for one, must have some better authority for the fact. He must be convinced of the King's perfect and *complete* recovery. Nothing less should satisfy that House. Their Lordships surely would not do their duty if they permitted the Royal Sceptre to pass into other hands; and during the moral incapacity of the Monarch, the Royal Functions to be exercised by Ministers in the name of the King. Nothing should deter him from watching and investigating the conduct of the Noble and Learned Lord; though he must say, God grant what he had now told the House respecting the King's amendment may prove true. The Noble Lord says that he will not invite, neither will he shrink from an investigation into his conduct. This was not saying very much! For if it be brought forward, how can the Noble and Learned Lord shrink from it? That, however, he may have every opportunity fully to explain himself, and leave nothing ambiguous in the language in which the accusation is brought against him, he (Lord Grey) would openly inform the House, that in the years 1801 and 1804, the Noble and Learned Lord had used the King's name and performed the Royal Functions, *at a time when there is evidence that the King laboured under a disorder similar to the present, and when the Royal Authority was necessarily suspended.* In 1801 a commission was sent to that House; Councils were held, at which his Majesty had presided; a change had taken place in the Administration, an expedition was sent out of the country, *and all this at a time when the King was afflicted as he is at present.* At that time, he, in another place, called on a Noble Viscount for an explanation of what was going on: and the Noble and Learned Lord had been called upon in that House for a similar explanation. At first they declined giving any satisfactory answer, and when called upon a second time, they declared that there was no suspension of the Royal Authority. Yet it now appears, from the evidence of Dr. Heberden, that *from the 12th day of February to the 23d day of April, the King was not in a state to perform the Royal Functions*;—notwithstanding, a number of Acts of the Royal Authority had been performed within that interval. On the 9th of March a commission was signed, by which the Royal assent was given to several Bills; and on the 5th of March, the Chancellor took the Royal pleasure respecting some purchase of land for the Duke of York. Here then was the highest matters of State carried on at a time when it is proved his Majesty had *not* completely recovered, and when he was *not* in full possession of his moral capacity. If an Attorney had advised his client, while in such a situation, to make and sign a will, how would the Noble and Learned Lord have treated him when he came before him in his Court of Chancery? And were these not serious violations of the Constitution? and was not immediate and solid provision to be made against the recurrence of such evils for the future? Was it not now, moreover, known, that on the 10th of June of the same year, Dr. Symonds still attended his Majesty, and that even his assistants had the power of controul over his Majesty's person? Will then their Lordships suffer the Lord Chancellor, or any set of great Officers of State, thus to assume and exercise the Royal Authority, when it is proved, that at the moment of such assumption and exercise, the King was not in possession of his mental capacity? These abuses he was anxious to lay open to their Lordships as soon as possible, that those whom they may affect might vindicate their conduct, and the House be warned to guard against such abuses for the future, by solid and satisfactory provisions. The Noble Earl then took a short view of the arguments in favour of the restrictions, and asked, If you require the same duties from a Regent as from a King, why limit the one any more than the other?—

The same duties are imposed; but the same means are not allowed for the proper performance of them. And under what circumstances is it that the Executive Power is to be so crippled? Is it not at a moment when you are engaged in a most awful conflict with the most formidable enemy, when the commerce of the country is menaced with new difficulties and dangers, and when its domestic union may be disturbed? Such a posture of things loudly called for the interposition of their Lordships, or the greatest evils might befal the country. The Amendment of his Noble Friend might in some degree tend to guard against them, and it should therefore have his most cordial support.

The Earl of LIVERPOOL stated, that no measure had been taken in the year 1801 or 1804, for which all his colleagues were not equally responsible with his Noble Friend on the woolsack. If blame were imputable to any one, as in his conscience he was convinced it was not, it was equally imputable to all. He should put the Noble Earl right as to the statement made in that House in 1804, respecting the King's health, which had been made by him, and not by his Noble Friend on the Woolsack. No mystery had been made of the state of his Majesty's health. If the arguments of the Noble Lords on the other side should be admitted, they would go to prove that in case of any temporary illness of the Sovereign, a Regent ought to be appointed. He knew well the endeavours which were used to *exaggerate* the calamity of the Sovereign. He could remember, too, the use of the same description which had been made of *another heavy calamity* (blindness) to which his Majesty was exposed, in representing it as rendering him incapable of performing the Royal functions; but the Noble Lords opposite, having been in the King's service three months after he was visited by this calamity, furnished the best evidence that they did not consider him as rendered incapable of his functions thereby. There was no reason not to expect his Majesty's recovery within the period in which persons affected with a similar malady usually recovered. Those who objected to the restrictions upon principle, must, he would contend, vote against their being continued to August no less than to February.—As to the contrast drawn by the Noble Earl between the situation of the country now and in 1788, he should not be afraid to go into it and to sift it. What was the navy then, though brilliant, to its flourishing condition at this period?—What was the difference in the state of the army—the commerce—the finances—the trade—the manufactures—and the revenue of the country?—A colossal power, no doubt, had grown up on the Continent, which *no wisdom on our part could have prevented*, and which could bring the greater part, if not all, of Europe against us. But if he knew what that power was, what it was capable of, he knew also that Great Britain—that Great Britain alone—could contend against it—could defend herself and her resources against all the accumulated force of the enemy. The greater the danger, the greater the honour. If they looked at the enemy, they ought also to look to the resources of this country, and to the energies of the British people, living as they do under a Sovereign who had always considered the interests of his people as his own.

The Duke of KENT declared his decided opposition to any restrictions whatever. If restrictions were resorted to at all, they would equally apply to the case of the King as of the Regent; but it was his intention to vote for the amendment, as the lesser evil of the two.

Lord SIDMOUTH felt bound, in consequence of what had fallen from the Noble Earl who had spoken last but two, to offer a few observations to their Lordships. With respect to the year 1804, the charge rested upon a statement founded on the evidence of a most respectable individual, upon whose statement, that the King's illness had continued from the 12th February to the 23d of April, much stress was placed. He was ready to admit, that the evidence of Dr. Heberden upon this point was calculated to give a different impression from that which was entertained by his Majesty's Ministers at the time. The Physicians, however, had expressly stated that his Majesty was completely fit to attend a Council above a fortnight before he actually did attend it. He did not think it then necessary to go into any further details, but was content to be answerable in the fullest manner for the line pursued by himself and his colleagues upon that occasion.

The Duke of GLOUCESTER said, that he retained now the same opinion of the impropriety of the restrictions as he had done in the beginning; but as the House had agreed to the restrictions, he could not oppose the Bill. As to the limitation in point of time, he agreed with the motion made by his Noble Friend.

Lord MOIRA stated, that the Noble Lords must have heard with surprise the transcendantly favourable account of the present state of the country, as pictured by the imagination of the Noble Secretary of State;—he need not compare the present state of the country with its situation in the year 1788, for the comparison would not apply. Then in profound peace with the world—but how different was our present situation! As to the favourable state of our army and navy, it was not the organization of our forces that shewed our strength, and ensured security for the future; but it was the general mass and energy of the people.—*(Hear! Hear!)*—Should the unhappy hour ever arrive, when our powerful and ambitious foe would be seen hovering on our shores, it would be found that the energy of the people would be our best, if not only security. That was a truth which went home to every man's bosom; and it becomes them to stand by the Constitution—to oppose all improper encroachments upon the Royal prerogatives, for the purpose of protecting the people. He disapproved of all restrictions on the Royal Prerogatives to be exercised by the Regent; and such being his opinion, if he were compelled to limit for any period, he would select the shorter, and therefore the amendment he would have to support.

The LORD CHANCELLOR said, that it was very unfair for Noble Lords to select him individually from the whole of the persons who composed the Government in 1801 and 1804, and make him the constant object of their attacks. He thought those Noble Lords should, at the same time, have done him the justice of stating, that the course then adopted was from the opinion of the Administration generally, and not from his individual opinion. If what he had then done was supported by the opinions of all the Physicians, it did not follow that he was now guilty of any inconsistency in saying that whatever the report of the Physicians might be, he would not consent to dethrone his Majesty upon their report merely, if in his judgment and conscience he believed that the King was adequate to the discharge of his Royal functions. When he came down to that House, on the 9th of March, 1804, a Noble Earl called upon him to consider seriously the consequences of the proceedings going to be adopted. He then replied, that he was perfectly convinced of their propriety; and, however strange it might appear, he could take upon himself to say, that his Majesty on that very day, the 9th of March, 1804, knew and understood the duty that he (the Lord Chancellor) had to exercise, better than he did himself—*(Hear, hear!)* Under such circumstances, it was impossible for him to have pursued any course which would have the effect of dethroning his Majesty.

Earl GREY, in explanation, said, that for any act which was directly within the province of the Lord Chancellor, the Lord Chancellor alone was responsible; and it was upon this ground that he had singled him out upon a question of affixing the Great Seal. If ever the time should come when it might be thought necessary to call the serious attention of the House to the conduct of the Noble and Learned Lord, the House must determine simply on the propriety of his conduct, and not upon the purity of his intentions, or the coincidence of other people with his opinions. It appeared from the evidence, that from the 12th of February to the 23d of April, and even so late as the 10th of June in that year, his Majesty had been attended by Dr. Symonds and his servant, *who did exercise a controul over the mind of his Majesty.* He did not mean to say that this controul was constantly exerted, or that those persons were present when the Sovereign was visited by the Noble and Learned Lord; but there was a knowledge in the King's mind, that those persons were in attendance, and could be brought forward to controul him whenever it might be judged

necessary. If such were the circumstances of a former case, he would now call upon the Peers of England to say whether the Royal Authority should be so usurped on the present or any future occasion?

On a division, there appeared,

Contents, 84—Proxies, 38—122.—Non-contents, 38—Proxies, 51—139.—Majority, 17, against Lord Grenville's Amendment.

A division then took place on the original Clause,

Contents, 88—Proxies, 51—139.—Non-contents, 86—Proxies, 38—124.—Majority, 15, for the Clause.

The Earl of LIVERPOOL, when the clause relative to the Household was read, moved that the words moved by the Marquis of Lansdowne, and carried as an amendment in the Committee, should be left out, and the clause remain as it originally came from the Commons.

This produced some debate; and on a division, there appeared, for the motion, 86—Against it, 83—Majority for Ministers, *three*.

Several other Amendments were proposed and rejected, the Ministers having majorities on them all.—The last one was suggested by Lord KING, for erasing Lord Eldon's name from the Queen's Council, on the ground that in March 1804, he had affixed the Great Seal to acts, *in his Majesty's name*, when it appeared, on the solemn testimony of Dr. Heberden, *that his Majesty was insane!*—On this question, Ministers had a majority of 85, proxies included, but many of the Opposition had left the House, thinking there would be no division. —Adjourned.

Tuesday, Jan. 29.

The Regency Bill was read a third time, passed, and ordered to the Commons.—Adjourned.

Thursday, Jan. 31.

Their Lordships were this evening engaged in the consideration of a point of Personal Privilege; during the deliberations on which strangers were excluded. It respected the case of a Lady, relict of an Irish Baron, who was arrested on an action for debt. Some witnesses were examined; and the Solicitor on the occasion, as well as the Officer who made the arrest, were taken into custody, but subsequently ordered to be discharged on paying their fees.—Immediately after the doors were opened, an adjournment took place.

Friday, Feb. 1.

The Earl of LIVERPOOL laid upon the table the form of the Commission which, under the Great Seal, is to give the *Royal Assent* to the Regency Bill. He said, he should to-morrow move a Resolution authorizing the issue of such a Commission, should there be no discussion on the subject; but if the subject was to be debated, he should then postpone the Motion till Monday.

After a few words from the Earl of DERBY, respecting this new and unnecessary delay, the House adjourned.

PROTEST

AGAINST THE REJECTION OF LORD KING'S MOTION FOR OMITTING THE NAME OF "LORD JOHN ELDON," AS ONE OF HER MAJESTY'S COUNCIL.

DISSENTIENT,—First, Because it is of the highest importance, that in the appointment of her Majesty's Council the public should have every security, which previous conduct can afford, that the persons composing the same will not act under any *undue bias*, but that, whilst they follow the course prescribed to them by their duty, for restoring his Majesty to the public exercise of the Royal Functions, whenever he shall be in a capacity to resume them, they will neither expose his Majesty to the danger of a too early pressure of business, nor concur in representing his Majesty as qualified to act in his high office, before his recovery shall be complete.

Secondly, Because it appears by the evidence of Dr. Heberden, taken on oath before a Committee of this House, "that he was first called upon to attend his Majesty on the 12th of February, 1804; that he believed his Majesty presided at Council on the 23d of April following; and that he should consider the interval between those periods as constituting the duration of his Majesty's disease at that time." Yet, nevertheless, it appears from the Journals of this House, that between the two days above-mentioned, John Lord Eldon, being then Lord High Chancellor of Great Britain, did, on the 5th of March, 1804, receive, and in his Majesty's name, signify his Majesty's consent to a Bill, entituled, "An Act to enable his Majesty to grant the inheritance in fee-simple of certain manors, messuages, lands, and hereditaments, in the parishes of Byfleet, Weybridge, Wallin, Wallinleigh, and Chertsey, in the county of Surrey, to his Royal Highness Frederick Duke of York and Albany, for a valuable consideration;" and that he did also put the Great Seal to a Commission, dated 9th March, by virtue of which fifteen Bills received the Royal Assent; as well as to a Commission, dated March 23, under which seventeen other Bills received the Royal Assent; ALTHOUGH HIS MAJESTY WAS, AT THAT TIME, as appears by the evidence above recited, AFFLICTED BY A MALADY OF THE SAME NATURE AND CHARACTER WITH THAT WHICH HAS NOW OCCASIONED A SUSPENSION OF THE REGAL FUNCTIONS.

Thirdly, Because it further appears, from the same evidence, "that after the period when his Majesty was so far recovered as to be able to transact business at any period of any day, he still retained such marks of indisposition about him as made it expedient that some one of his Physicians should be about his person for some months afterwards; and that Dr. Heberden was in attendance on his Majesty so late as the end of October;" and it was stated in debate, and not denied, that, during this latter period, and particularly on the 10th of June, 1804, when it was understood and believed, both by this House and the public, that his Majesty was *perfectly recovered*, his Majesty not only continued in a state which required *medical guidance*, but that both Dr. Simmons and *his assistants* were still in attendance on and possessed *a controul* over his Majesty; yet, that nevertheless, *while his Majesty was still subject to such personal controul*, the said John Lord Eldon, as Lord High Chancellor of Great Britain, did receive his Majesty's pleasure on divers important matters of his Majesty's Regal Government, and did, in virtue of his said office, perform various public acts requiring the sanction of the King's authority.

Fourthly, Because John Lord Eldon, having so conducted himself, is not, in our own judgment, a person to whom the sacred trust of acting as one of her Majesty's Council in the care of his Majesty's person, and in the discharge of the other most important duties, by this Act committed to the said Council, can with propriety or safety be committed.

GREY	ROSSLYN
LAUDERDALE	DERBY
VASSAL HOLLAND	ASHBURTON
ERSKINE	PONSONBY
	PONSONBY, Imo.

HOUSE OF COMMONS.

Monday, Jan. 28.

Nothing of public importance took place this day.

Tuesday, Jan. 29.

THE REGENCY BILL.

A Messenger from the Lords announced their Lordships' assent to the Regency Bill, with some Amendments, to which they desired the concurrence of the House.

The Amendments were read a first time, and ordered to be taken into further consideration on Thursday, to which day the House adjourned.

Thursday, Jan. 24.

A NEW THEATRE.

Mr. MELLISH presented a Petition, praying for leave to bring in a Bill to authorise the erection of a third Theatre.—The Petition was ordered to be referred to Committee.

REGENCY BILL.

On the motion of the CHANCELLOR of the EXCHEQUER the House proceeded to take into further consideration the Amendments made by the Lords in the Regency Bill. They were read a second time and agreed to without opposition, and Mr. LONG was directed to carry the Bill to the Lords.

Mr. WHITBREAD said a few words on the usurpation of the Royal Authority by his Majesty's Servants. The circumstances which had come to his knowledge, made him think that *the King had been abused*, and that his faithful and affectionate *subjects had been grossly deceived*, by those who had presided at the head of affairs. He had reason to believe that the name of the King had been made use of to further their own views, at a time when his Majesty was incapable of putting it himself, and when it could with propriety be put to no Act whatever. Feeling this as he did, when Parliament was fully and regularly assembled, if no other Member brought it forward, he should feel it to be his duty to call the attention of the House to the subject. This he should do that the whole of the circumstances might be properly investigated.

Mr. PERCEVAL said, the motion of which notice had been given, had a reference to times at which he had no more connection with the Cabinet than the Hon. Gentleman himself.—He had no knowledge of the transaction from his own observation, and could know nothing of them but by communication with the parties. He however had now no hesitation in saying, from the information which he had so gained, and on which he could rely, that he was perfectly ready to meet the question, and he had no doubt he should be able to prove that what had been done was done with due allegiance to the Crown, a proper regard to constitutional duty, and with the sanction of the party who was now supposed to object to its having been done.—Adjourned.

Friday, Feb. 1.

Mr. WHITBREAD asked the Chancellor of the Exchequer whether there existed in the Exchequer any Warrants for the issuing of Money, signed by his Majesty, and bearing date some time between the 25th and 30th of October, 1810?

Mr. PERCEVAL admitted that there were one or two such Warrants, for small sums, signed by his Majesty between the periods mentioned. He observed, that it had been usual to send such Warrants to his Majesty for signature, with the dates left blank, to be afterwards filled up. He added, that there was a Privy Seal Warrant, dated the 27th of October, on the latter part of which day, according to the opinion of Sir H. Halford, his Majesty's disorder had commenced.

Mr. WHITBREAD here gave notice of a motion, that there should be laid before the House all Warrants for the issue of Money dated since the 25th of October, 1810.

Mr. PERCEVAL wished the motion to be made on a future day, when he should be prepared to meet it.—To this Mr. Whitbread consented.—Adjourned till Monday.

TUESDAY'S LONDON GAZETTE.

BANKRUPTCIES ENLARGED.

A. Lanchester, St. James's-street, milliner, from Dec. 29 to Feb. 16.
J. Moore, Tettenhall, horse-dealer, from Jan. 22 to March 12.

BANKRUPTS.

C. Saint, Norwich, shawl-manufacturer.
T. White, Liverpool, merchant.
J. Mason, Heywood, shopkeeper.
W. Thornton, Hinckley, currier.
W. Jackson, Sherbourne-lane, merchant.
T. Richardson, Cardoxton-juxta-Neath, chemist.
E. Roberts and J. Welsh, Suffolk-lane, cotton-brokers.
E. Proctor, Ludgate-hill, corn-dealer.
R. Bundy, Bristol, brewer.
J. Fuller, jun. Manchester, grocer.
G. Godden, Damary Farm, Dorsetshire, maltster.
J. Hobson, Leversholme, Lancashire, dyer.
S. Jones, Wardour-street, grocer.
A. Williams, Rumney, Monmouthshire, shopkeeper.
J. Claxton, Horbury, Yorkshire, cloth-maker.
W. Woodward, Tottenham, salesman.
J. Hawkins, Queen-street, Limehouse, builder.
M. Josephs, Great Prescot-street, merchant.
J. Cooke, Houghton Drayton, Southampton, miller.
J. Ingleby, Lygan y-wern, and C. Ingleby, Soughton, Flintshire, lead-merchants.
J. Withers, Freshford, Somersetshire, corn-factor.
J. Lay, Oxford-street, hatter.
J. Cousins, Bread-street, merchant.
I. Parry, Deptford, potter.

SATURDAY'S LONDON GAZETTE.

Downing Street, Jan. 29, 1811.

Dispatches, of which the following are extracts, have been received at this office, addressed to the Earl of Liverpool by Lieutenant-General Viscount Wellington.

Cartaxo, Jan. 5, 1811.

MY LORD,—The reinforcements to the enemy's army in this country, which I informed your Lordship, in my dispatch of the 29th December, were on their march in the valley of the Mondego, arrived upon the Alva at Murcella on the 24th, which river they crossed by a ford on the following day, and continued their march to join the army.

Colonel Wilson, who had retired from Espinhal, had crossed the Mondego upon hearing of the advance of these Troops, lest he should be involved in an unequal contest in front and rear at the same time, repassed the Mondego on the 25th, and annoyed the enemy's rear on his march of the 25th and 26th from the Alva towards Espinhal. He took some prisoners, and cut off some of their small detachments, which fell into the hands of the Ordenanza.

The divisson which had marched to Pinhel, and the advanced guard of which had been at Trancoso when I last addressed your Lordship, was still at Pinhel on the 26th December, when I last heard from General Silveira, whose head-quarters were at Torrinha.

I have letters from Cadiz of the 23d and 29th December, stating that Marshal Soult had marched from the army engaged in the operations against that place, with four or five thousand men, on the 20th and 21st of December.

Generals Mendizabel and Ballestros are still at Llerena and the neighbourhood of Monasterio, and Girard's division of Mortier's corps at Guadalcanal.

No material alteration has been made in the position of the enemy's army since I addressed your Lordship last. The detachment which marched to Castello Branco returned immediately, and was sent either for the purpose of escorting a Messenger or to obtain intelligence. I have the honour to be, &c.

WELLINGTON.

Cartaxo, Jan. 12, 1811.

MY LORD—Since I addressed your Lordship on the 5th instant, I have learnt that the detachment of the enemy's troops which joined the army in the end of last month, consisted of eleven battalions of the 9th corps, and of a body of troops which, under the command of General Gardanne, had before attempted to penetrate through Beira Baxa. The whole are stated to be 8000 men, by some of the officers who saw them, but I should think they must be more.

The other division of the 9th corps had not passed the frontier when I last received accounts of them; but I learn from an intercepted letter from General Drouet to General Clapparede, that this division has been ordered to take a position at Guarda. Their advanced guard broke up from the neighbourhood of Trancoso in the night of the 3d instant.

There has been no alteration in the position of the enemy's army since I last addressed you, excepting that Gen. Drouet's head quarters have been fixed at Leyria with the troops which joined with him.

The enemy continue to construct boats in the Zezere, and have shewn much jealousy of the measures adopted by our

troops on the left of the Tagus, to command by their fire the communication between the Zezere and the Tagus.

I have now to inform you, that Marshal Mortier arrived at Ronquillo, with a division of the corps under his command, on the 3d instant. He has since continued to advance into Estremadura, having formed a junction with the division which had been at Guadalcanal, under the command of General Girard; and I am concerned to add, that I have just learnt that he obtained possession of Merida, and of the bridge over the Guadiana at that place, on the evening of the 8th instant, the Spanish troops having retired.

They have left General Ballasteros' division on their left flank, between Xeres de los Cavalleros and Olivenza, with his communication open with Badajoz; and it is reported that Mortier's corps is followed by other troops,—I have the honour to be, &c.

(Signed) WELLINGTON.

BANKRUPTCY SUPERSEDED.

S. Lee, High-street, Borough, linen-draper.

BANKRUPTS.

J. Ives, Cawston, Norfolk, grocer.
J. Berry, Norwich, printer.
J. Reddall, Clement's-inn, merchant.
G. Hutchins, Southampton, victualler.
J. Webb, Moddershall, Staffordshire, corn-dealer.
J. Thornley, Liverpool, merchant.
J. Creed, Weymouth, victualler.
J. Pailethorp, Nottingham, merchant.
J. Price, Coventry, ribbon-manufacturer.
J. Heath, Wilmston, Chester, cheese-factor.
J. Isherwood, Manchester, manufacturer.
T. Gates, Rupert-street, Christ-church, Surrey, victualler.
G. Goodman, Marchmont-street, St. Pancras, builder.
J. Careless, Three King,-court, Lombard-street, merchant.
T. Mellor, Burslem, Staffordshire, potter.
D. Dallas, Tower-hill, wine-merchant.
J. Keating, Manchester, dealer and chapman.
A. M'Guffie, Liverpool, merchant.
I. Potter, Manchester, grocer.
J. Parr, Manchester, merchant.
G. Vicat, Portsmouth, vintner.
W. Andrews, Newington, Surrey, paper-hanger.
T. Blowers, Tottenham-court-road, linen-draper.
R. Curgenven, jun. Plymouth, linen-draper.
R. Mayers, Manchester, grocer.
E. Firth, Hatton-Garden, turner.
W. Pottell, Cow-lane, West Smithfield, carpenter.
C. Pitt, Southampton, statuary.
R. Jerment, Old Change, factor.
J. Fisher, Weeley, Essex, shopkeeper.
J. Webber, Webb-street, Southwark, rag-merchant.
R. Rigden, Hatton-street, blacking-maker.
B. Hart, Plymouth, tavern-keeper.
T. Eddison, Romford, Essex, linen-draper.
J. Cooper, Oxford-street, umbrella-maker.
G. C. Bishop, Maidstone, soap-manufacturer.
T. Buckley, Kennington-lane, Surrey, shoe-maker.
W. Lewis and Co. Abingdon, Berkshire, bankers.
S. Chalfont, Fulmer, Buckinghamshire, corn-dealer.

PRICE OF STOCKS ON SATURDAY.

Consols.....65¼ ⅜

Remarks on the new Opera of the Peasant Boy next week, together with the Criticism on the Knight of Snowdoun, an opera to be performed next Tuesday.

Various Communications are delayed till next week, for want of room.

The TITLE-PAGE, PREFACE, and INDEX, for the last year's *Examiner*, will be ready for delivery on Sunday week.

THE EXAMINER.

LONDON, FEBRUARY 3.

AMONG the reports from Spain is the revived account of a projected match between FERDINAND and a Princess of Austria, and the consequent restoration of that Prince to the Spanish throne. The Cortes certainly apprehend some new trick against their freedom, founded on a proceeding of this kind; for they have declared "all acts and treaties made by Kings of Spain in a state of captivity to be null and void:"—one of the members moved as a clause, that in case FERDINAND should publicly cede any of their provinces to France, all persons listening to the proclamation should be declared traitors;—and another proposed, that if FERDINAND should even enter Spain with NAPOLEON's assistance, and with a Spanish army, he should be declared an enemy, and his army allowed no quarter.—There is spirit in these proceedings, but they are more like the last convulsive movements that precede death, than any thing promising, or capable of recalling life. If BONAPARTE thinks of FERDINAND's restoration, which appears as probable as not, when all the circumstances connected with his late alliance, or with the approaching change in the English Government, are considered, there is no doubt he can effect it with perfect ease. The Spaniards, whose priests, it seems, are not at all satisfied with the unusual spirit evinced by the Cortes on certain points, will be ready to avail themselves of every, and of any, excuse to gain repose: they would even be glad enough, were FERDINAND to bring them a Queen from the NAPOLEON family, instead of the Austrian, which seems still more likely than the other arrangement:—in fine, happen what will, the Cortes will soon discover for whom and for what they have been fighting.

The suspicions lately entertained by the public, in consequence of the evidence given by the Royal Physicians respecting his Majesty's former relapses, have been strongly and irrevocably confirmed by the facts stated by Lord GREY in the Upper House on Monday last. His L—ship openly accused the Chancellor of having abused his office both in the years 1801 and 1804, by performing Royal Functions at a time when, from the evidence of the Physicians before the House, his Majesty was not in a state to perform them himself. It was impossible to answer this disclosure in the negative, except by directly impeaching the veracity of the Physicians, and therefore the Earl of LIVERPOOL, in taking up his friend's cause, could only declare himself a party concerned if any blame were imputable, and bring a counter-accusation against the Whigs of acting for the King while *they were aware of his Majesty's blindness*. As to my Lord ELDON, he is fain to content himself on this occasion with talking pathetically of his magnanimity, and telling us in Latin, with tears in his eyes, that such attacks strike without appalling him. This

circumstance appears to be a death-blow to all belief in the future recovery of the Sovereign, and will meet no doubt with all the enquiry and comment that it merits.

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The Dispatches from Lord WELLINGTON, received on Tuesday last, appear in last night's Gazette.

By the French news from the Peninsula, it appears that Tortosa, one of the strongest fortresses in Spain, with a garrison of 9000 men, has fallen, after a short siege, and that the French army immediately proceeded to besiege Tarragona. With the exception of Cadiz and the latter city, all the strong fortresses are now possessed by the enemy; and it really affords a very melancholy prospect, to perceive that the Spanish people are either unwilling or unable to make head against the French; at a time when such a formidable diversion in their favour is making in Portugal. Cadiz is said to be besieged by only 15,000 men. What are the ten millions of people in Spain about when they suffer the very seat of their new Government to be thus environed by a mere handful of men?—This only shews the dreadful effects of a despotic Government; for it is not to be believed that any nation, but one in which all love of liberty had been utterly stifled by a long series of oppressions, could thus bend to a foreign yoke.

It is understood that MASSENA has been joined by one division, 15,000 strong—and that another of 7000 is advancing from Seville by the southern banks of the Tagus. Colonel TRANT has abandoned Coimbra to the enemy, as he was fearful of being taken in the rear. When the enemy advanced, Colonel WILSON, who at first had deemed it prudent to pass the Mondego, had subsequently repassed it, in order to harass the French on their march. MASSENA's head quarters were still at Santarem; but it was expected that he would speedily re-commence operations by entering the Alentejo, and thus cut off the supplies from Lisbon. It is even said that he will be able to bombard the city from that side of the Tagus, unless the English Commander chooses to abandon his strong lines, and risk a battle. After all the *certain* intelligence of the starvation, retreat, and ruin of the French army—this information is not a little curious.

SPANISH AMERICA.—Another bloody scene is stated to have taken place in the city of Quito, immediately after the former tragedy. The Nobility, the account says, having been invited to meet at the Government-house, they were shot to a man by the troops who surrounded them. The murderers were then *ordered* to disperse through the city, and put man, woman, and child to the sword, which was literally obeyed; and upwards of 700 persons were put to death!—It is added, that these deeds of blood were concerted with the Viceroy of Santa Fe, to whom the Governor of Quito immediately dispatched an express to acquaint him of the success; but the Junta of Santa Fe having intercepted the dispatch, the Viceroy was apprehended, tried, convicted, and executed. These accounts came from Trinidad.

THE BRITISH NAVY.—There are at present in commission 792 ships of war, of which 156 are of the line, 21 from 50 to 44 guns, 168 frigates, 133 sloops of war, 5 fire-ships, 173 armed brigs, 40 cutters, 76 schooners and luggers; besides which there are building and repairing a number of vessels, which make the total amount to 1062 ships of war, of which 255 are of the line.

The following Requisition was yesterday presented to the Right Hon. the LORD MAYOR:—

MY LORD—We the undersigned Members of the Court of Common Council request your Lordship to convene a Court of Common Council upon an early day, to consider a Motion for an Address to His Royal Highness the Prince of WALES, upon his being appointed Regent of the United Kingdoms during the present afflicting incapacity of his MAJESTY.

(Signed) M. Wood, R. Waithman, E. Quin, G. King, Jos. Turner, Sam. Rolls, R. Fisher, Wm. Heygate, J. Hurcombe, W. Bedford, J. Wright, J. Ashlin, T. Crokatt, R. Howell, T. Coleman, J. Elliott, J. E. Pownall, J. Treacher, J. Walker, G. Winter, P. Fenton, jun., M. Dunnett.

Saturday, Feb. 2, 1811.

The LORD MAYOR has fixed a Court for Thursday next, to take the same into consideration.

The following is an extract from a private letter from Ludlow:—"The people here are now accustomed to LUCIEN BONAPARTE; he lives very retired, and devotes himself to books, particularly poetry. There is even a possibility that he may figure as a writer in that department of literature; politics appearing to interest him very little."

MOCK AUCTIONS.—Many depredations have lately been committed on the public by a gang of artful persons advertising Sales by Auction, in the most frequented parts of the metropolis, under the names of respectable auctioneers. These impostors may be easily detected by observing that the goods to be sold chiefly, if not entirely, consist of new furniture. There is seldom a previous view day allowed, as in real sales, nor is the true place (if any) of the auctioneer's residence advertised.

A morning Paper observes, that the late Sir FRANCIS BOURGEOIS "bequeaths property to the amount of 100,000l. to Dulwich College, and leaves nothing to two sisters and three nieces, who never gave him the slightest offence."

On the day when the Sparring Match took place for CRIB's *Benefit*, the Pickpockets had a *benefit* also; and were busily engaged in levying contributions on the *half flash* and *half foolish* amateurs who attend on such occasions.

The following article, which appeared in most of the Daily Papers, we recommend to the notice of the *Magistracy*—particularly those who act for the Parish of *St. Martin's*.—"*Sparring*.—On Tuesday the Fives Court, in St. Martin's-street, was attended by about *three thousand* Amateurs of Pugilism, it being for the benefit of Cribb. Long previous to the opening of the doors for admission, the avenues leading to that place were completely choaked, and the scene resembled the doors of the theatres when young Betty performed—hundreds who had obtained admission and paid their money (2s. 6d. each) were unable to view the exhibition from the very excessive crowd."

A cartel arrived on Wednesday at Dover, from Dunkirk, having on board the survivors of the crew and passengers of the Elizabeth Indiaman, which was wrecked on the French coast a few weeks ago. The whole number who put off from the wreck, in the boat, consisted of 22, being six Europeans and sixteen Lascars. They were conducted to prison on their landing, but were instantly supplied with dry clothes and every comfort. The Europeans were also permitted on various occasions to leave the prison, on security being given for their return by such of the humane inhabitants as invited them to dine

with them, which was frequently the case. Indeed, the conduct of all the inhabitants of Dunkirk was generous and humane in the extreme. The following are the names of the Europeans who have landed:—Capt. Eastwick, Mr. Baker, second Officer, and Mr. Laird, third Officer, all of the Elizabeth; Mr. Eddis, Mr. Hayward, and Dr. Jackson, passengers. They have been liberated by the French Government unconditionally, leaving it to the justice of our Government to return an equal number of French prisoners, if they think proper.

It is already known that all those perished who remained on board the Elizabeth, after the boat put off with the above-named survivors. The fate of one of the passengers (Lieutenant Tench, of the 3d Ceylon Regiment), was peculiarly tragical. He is supposed to have been the only person that came on shore alive; while he lay on the beach exhausted with cold and fatigue, a French soldier, came up to him, to whom he offered six guineas to carry him to some place of shelter. Another soldier then came in sight, and it would appear that the two agreed to murder the unfortunate officer for the sake of his money, the body having been found with several wounds upon it. The circumstance transpired in consequence of the assassins having quarrelled about their booty, and one of them confessed the fact to his Priest, at the same time describing Lieutenant Tench's dress and person so minutely, that no doubts could be entertained on the subject. The two soldiers are in custody, and the French Officers at Dunkirk are exerting themselves to procure more formal evidence than the confession above alluded to, in order to bring the culprits to condign punishment. The wretch who confessed the fact now denies it, and says he was in a delirium when he told the story.

THE KING'S ILLNESS.

MEDICAL BULLETINS.

"*Windsor Castle, Jan.* 27.

"His Majesty continues in the same state as before."

"*Windsor Castle, Jan.* 28.

"His Majesty is rather better to-day than he was yesterday."

"*Windsor Castle, Jan.* 29.

"His Majesty goes on favourably."

"*Windsor Castle, Jan.* 30.

"His Majesty continues as well as he was yesterday."

"*Windsor Castle, Jan.* 31.

"His Majesty continues in the same favourable state in which he has been for the last week."

"*Windsor Castle, Feb.* 1.

"His Majesty is in the same state as yesterday."

"*Windsor Castle, Feb.* 2.

"The King is quite as well as for some days past."

The following statements are given merely on the authority of the daily papers:—

"The state of his Majesty's health was such as to admit of the protraction of the visit, on Saturday week, of the two Chancellors (Eldon and Perceval), to the extraordinary duration of considerably more than an hour. Nor is the restoration of his Majesty's health the only subject on which the public will indulge an heartfelt gratulation—there is also a manifest improvement in the visual organs of his Majesty, who, on Lord Eldon and Mr. Perceval entering the room, addressed the former to the following effect:—'I am glad to see you, my Lord Chancellor, and I am happy in saying that I can see your features almost as well as I ever did. I cannot see Mr. Perceval so distinctly, but I observe his back to the window.' Upon approaching the window, Mr. Perceval turned, and a full light falling on his face, his Majesty is said to have added, 'Aye, now I see Mr. Perceval's features distinctly.'

"On Tuesday morning, about eleven o'clock, Mr. Perceval arrived at Windsor Castle, and waited upon the Queen; he afterwards had a consultation with the King's Physicians, and then had an audience of his Majesty, and was with him for a considerable time. At two o'clock Mr. Perceval set off on his return to London."

The *Courier* gives the following as a Letter from Windsor:—

"*Windsor, Feb.* 1.

"This morning the Lord Chancellor and the Earl of Liverpool arrived here together as early as eleven o'clock, and immediately proceeded to the Castle, where they had an audience of his Majesty for upwards of an hour. The Noble Lords, after the audience, returned to London.

"The Lord Chancellor held a consultation with the King's Physicians, previous to the introduction to his Majesty.

"His Majesty's mental faculties continue in an improving state, and there are daily proofs of material amendment; every symptom indicates approaching convalescence, and an increase of bodily strength, which circumstances combined, are of the utmost importance for the effecting his Majesty's recovery.

"The Bulletins report favourably of his Majesty, but they fall short of the actual state of his Majesty's health. This, no doubt, is done from the most prudential motives—the safer course is not to raise the public expectation too high."

"The account which appeared in the Papers, some time since, of the King playing on a harpsichord, is proved to be incorrect, as his Majesty never learned to play on that instrument, or the piano forte or organ; but his Majesty, some years since, used to amuse himself with playing on a flute; besides, the instrument described that he played upon, viz. an old harpsichord, that belonged to the great Handel, we understand, is not at Windsor, but is at the Queen's Palace, where his Majesty used to shew it to his musical friends with much pleasure, and explain to them who it belonged to, and that the keys were worn away by Handel's fingers.—The same account contained a statement that the King had a little return of sight: this was correct.—It was noticed by his observing Dr. Heberden reading a Newspaper, and that he had a green coat on; he also observed, that all the Physicians had their hats off. One day, when we was at dinner, in a room under Blenheim Tower, adjoining his private apartments, where he has lately dined for the convenience of the Physicians, he distinguished a particular tureen on the table."

"A few days ago his Majesty, addressing one of his attendant Physicians, told him that the Duchess of Brunswick had desired him, about six months ago, whenever he was indisposed, to take the advice of that Physician, as she had a higher opinion of him than of any other whom she had seen since her return to this country. The Physician, whose name it might appear invidious to mention, considering that such an instance of recollection would be a striking test of his Majesty's convalescence, took an early opportunity of waiting upon the Duchess of Brunswick, and had the pleasure to receive from her Royal Highness a full confirmation of what his Majesty had related."

"Of the KING's preceding maladies, the second of which took place about the 12th of February, 1801, and continued till the beginning of March; and the third, from the 10th of February to the 22d of April, 1804, the public in general knew nothing till the late examination of the Physicians, though some extraordinary circumstances respecting both these lamented events were well known to a few individuals."

THE OPERA.

SIR,—A new opera, by a new poet, has made its appearance at the King's Theatre, in every respect worthy to rank with the works of Signor BUONAIUTI, of immortal memory. The opera is called *Le Tre Sultane*,—the three Sultanas,—and the poet, Signor CARAVISTA, a name appropriately compounded of two words of essential use in the manufacture of our Italian operas. This gentleman's labours, in the present instance, have chiefly been employed in translating BICKERSTAFF's absurd farce of the *Sultan*, carefully preserving all its absurdities, and adding the characters of a Maestro di Capella and an opera poet, who are somewhat awkwardly introduced to us at Constantinople by the friendly interference of a storm.

This opera is written to introduce Madame CATALANI as *Roxalana*, a part of which she evidently has not the slightest conception. *Roxalana* is a giddy and ingenuous girl, whose freedom with the *Sultan*, and disregard of the customs of the Seraglio, proceed from a thoughtless adherence to the manners of her own country; but the haughtiness and assumed gravity of Madame CATALANI gave her familiarity the appearance of intentional insult, which instead of fascinating the *Sultan*, would probably have reminded him of the utility of a bow-string. Her performance was likewise displeasing, from the conceit and consciousness of superiority which she betrayed throughout, and which was further augmented by the servility of the translator and the composer. The first has converted *Roxalana* into a captive opera singer, that she might pass fulsome panegyrics on herself; and Signor PUCITTA has not only carefully avoided giving the other singers any opportunity of shewing their talents, but has even appropriated to them, in some parts, passages similar to her own, that an immediate comparison of their powers may be formed. Such malignant and contemptible artifices should be disdained by Madame CATALANI, whose talents will always ensure a due share of patronage, without attempting to crush the hopes and exertions of others.

Under these disadvantages appeared Signor CAUVINI, a very pleasing singer, lately arrived from the Continent, possessing much taste and execution, but unfortunately a voice of moderate strength, which gave Madame CATALANI the power of overwhelming his efforts, of which she availed herself most tyrannically.

The opera is got up with a most insulting disregard of propriety in the scenery, dresses, and decorations.—The Italian poet and musician are wrecked off Constantinople, in an open boat, under a clear sky and upon a calm sea:—the officers of the Seraglio, who would almost as readily be deprived of their heads as their turbans, are divested of that constant appendage to a Turk, and walk about not only with unshaved heads, but even with wigs:—and at a grand banquet in the Seraglio, wine is served in the common green bottles of our English wine-merchants!—Such is the attention paid to consistency, at a theatre frequented and patronized by the higher orders of a nation, that boasts its progress in dramatic taste.

H. R.

SAMPFORD GHOST.

MR. EXAMINER,—Several of your readers would be much gratified by some further account of the "spirit of health, or goblin damn'd," which so much amused the public, and *amazed* the Rev. Mr. Colton, by its wanton vagaries at Tiverton some months since. I, among the rest, am particularly anxious to learn whether this "light of the world" was successful in appeasing the "perturb'd spirit" with his tremendous Greek Testament, or whether it has—

——"assum'd some other horrid form,
And drawn him into madness."

Yours, &c.

London, Jan. 31. J. F.

[The Editor of the *Taunton Courier* will doubtless reply to our ghostly Correspondent.]

FASHIONS FOR FEBRUARY.

WALKING DRESS.—A pelisse of scarlet Merino cloth, buttoned down the front and up the arm with small gold buttons; the collar and cuffs of purple velvet; but during the morning, of black, striped with scarlet; an ermine tippet pointed in the back, and muffs of the same. A bonnet of scarlet cloth, turned up with velvet, and formed to come over the face; the veil passed through the front and brought round the neck. Boots of scarlet cloth trimmed with velvet.

EVENING FULL DRESS.—A round dress of white satin, sloped up in front, with small train ornamented round the bottom with velvet in a scroll pattern, vandyked round the edges, and dotted with black chenille; the velvet during the mourning should be grey or scarlet; the bosom, girdle, and sleeves of this dress, are ornamented to correspond. A turban cap of white satin, looped with pearls, and edged with velvet; the hair combed full over the face, curled in thick flat curls, divided on the forehead. Necklace, earrings, and bracelets of gold and pearls blended. White kid shoes and gloves; fan of white crape and gold.

OBSERVATION.—In respect to the fashion for jewellery, all ornaments, whether rings, necklaces, ear-rings, broaches, buckles, &c. are worn much smaller.—*La Belle Assemblée.*

LAW.

COURT OF KING'S BENCH.

Monday, Jan. 28.

A Rule was granted to shew cause why a Criminal Information should not be filed against Capt. Gregory, of the Gloucester Militia, for insulting, with intent to produce a duel, Mr. Wilcox, late Mayor of Bristol, at the theatre of that city.—It appeared that when in office, Mr. Wilcox had offended Capt. Gregory, who had been brought before him on some criminal charge. The Captain meeting the late Mayor at the theatre, observed, "Mr. Wilcox, I have long wished to see you, to tell you you are a d—d complete blackguard, and a dirty scoundrel!" He added, that Mr. Wilcox might take that as he chose.

KENDALL *v.* PUGH.

This was an action for an assault. Mr. Kendall is a Clerk in the Custom-house, and Mr. Pugh a wine-merchant in Coram-street.

Mr. JERVIS stated the case, in a very languid and imperfect speech.—He first observed upon the hardship of a respect-

able young man's being interrupted, abused, and beaten, in a public office, when in the honourable exercise of his profession, particularly when he had given no real offence to the defendant.—He then detailed the particulars of the assault, which will be best gathered from the evidence called to prove it.

—— *Thomas*, a waterman, stated in substance that he went into the Custom-house, on business, on the day alluded to, when he heard a violent noise, and saw Mr. Pugh strike Mr. Kendall, first on the back of the neck, which made him bend down to the desk, and then in the face. Before the actual assault, he heard Mr. Pugh call Mr. Kendall divers hard names, such as rascal, scoundrel, and villain. In fact, he never heard greater abuse in his life. Mr. Kendall neither returned the abuse nor the blows; he only said, that if the parties would retire to a proper place, he would give every explanation. Mr. Kendall's sister was present, who had nearly fainted, and was supported by her brother.—[This witness gave his evidence in a very strange manner; he in fact appeared to be intoxicated.—He contradicted himself more than once, and was reprimanded by both Counsel and Judge.]

Mrs. Reeves, sister to Mr. Kendall, said she was present when her brother was assaulted. Mr. Pugh entered the Custom-house with Mr. Reeves, and taking her by the arm, demanded if her name was Henderson? Her brother immediately replied in the negative, and said that her name was Reeves.—Upon this, both Mr. Reeves and Mr. Pugh poured forth a great deal of abuse upon her brother; Mr. Pugh assaulted him in the manner described, and would have repeated the blows, had not Mr. Reeves interfered and stopped him. Her brother only remonstrated against this treatment.

Cross-examined by Mr. PARKE.—She admitted that about two years ago she was accosted on the road by young Mr. Reeves, (son of Mr. Reeves of Holborn-hill, and nephew of Mr. Pugh), who went home with her. He was then about 18 years of age. She did not admit him to her bed that evening; it was two weeks after that he seduced her. They lived together as man and wife, under the name of Henderson. Mr. Reeves afterwards married her, in June 1809. She had never cohabited with any person before her husband, nor with any body but him since her marriage. Her brother did not call Mr. P. "a supercilious coxcomb."

Mr. PARKE said, that he was utterly surprized the plaintiff could have thought of bringing such an action as this, and he was convinced the Jury would deem the smallest damages sufficient, when they heard the true state of the case. The assault had indeed been committed; but what had occasioned it? Why, Mr. Reeves, the father of the boy who had been so unfortunate as to marry the plaintiff's sister, had received a letter from his son, speaking distractedly of his having been inveigled into a marriage with a prostitute, and expressing his firm resolve never again to appear. He had kept his word, for from that day to this, neither his father nor his wife had received any intelligence of or from him. On the receipt of this epistle, Mr. Reeves, in great agitation, went with Mr. Pugh to the Custom-house, to enquire for their lost son and nephew. Mr. Pugh, a high-spirited gentleman, who had served in the navy, irritated at the injury done his nephew, could not suppress his indignation, and the assault complained of took place. The law certainly had been violated, but the Jury would perceive that this was a case in which the smallest damages possible would be more than adequate for the offence.

Lord ELLENBOROUGH was of opinion that this action should not have been brought; and the Jury in a minute or two returned a verdict for plaintiff—Damages, *One farthing*.

[The writer of the above brief report was in Court, and had he known nothing more than what was *adduced*, he certainly should have concluded, with the Jury and Judge, that Mr. Kendall ought not to have brought such an action.—Circumstances, however, have been omitted, which ought to have been stated to the Court, as they would have placed Mr. Kendall's conduct in its proper light. Why they were not brought forward is indeed a mystery, which the Learned Counsel probably could best explain; but as the Jury, in giving such damages, after the assault had been even admitted, must have been impressed with a belief that Mr. Kendall had acted a very improper part, it is due to justice to state a few facts, in order that additional pangs may not be inflicted upon the innocent.—Mr. Kendall is a Clerk in the Custom-house, is married to a respectable woman, and has three or more children. With such calls upon him, it was not in his power to support his sister, who maintained herself by her needle. This young girl, then not 17, had formed an improper connection with the son of Mr. Reeves, the knowledge of which having reached Mr. Kendall, he went to his sister, in company with his superior in office (Mr. Penfold), a gentleman of known respectability.—The unhappy young woman did not acknowledge her guilt, but persisted in asserting that she was really married to a Mr. Henderson, but at the same time declined giving any proof of such marriage. Her brother was of course not satisfied: he at length discovered that the person she was living with was not named Henderson, but Reeves, and that his sister was not married. Under such circumstances, how was a brother to act towards a young sister, who had lost her father, and who, as he firmly believed, had been seduced by Mr. Reeves? He took the only proper course: he waited on that young man, represented to him the impropriety of his behaviour, and insisted that he should marry his sister. To enforce his demand, he threatened to *expose* the conduct of Mr. Reeves:—no other mode of intimidation was adopted. Mr. Reeves complied, and the unfortunate marriage was solemnized.—Some most singular circumstances, the relation of which is not at all necessary to exhibit Mr. Kendall's actions, took place, after the marriage:—Mr. Reeves abandoned his wife and family, as stated on the trial,—and the letter he wrote to his father on that occasion led to the assault for which the action was brought.—From this short statement, made by a person wholly unconnected with either of the parties, the reader may form a proper estimate of Mr. Kendall's conduct.]

Thursday, Jan. 31.

BISHOP OF DERRY.

Mr. GARROW moved for leave to file a criminal information against Mansell Phillips, Esq. a Member of Parliament, for a libel on the Bishop of Derry. Our readers may recollect, that a paragraph appeared lately in many of the Papers, stating that the Bishop of Derry had engaged in trade, and had become a bankrupt. This paragraph first appeared in a Welsh Newspaper called the *Cambrian*, and the Editor of that Paper declared, that the paragraph was furnished by the Gentleman against whom the motion was made.—Rule granted.

THE KING v. P. FINNERTY.

The Judgment of the Court being moved against the defendant, for a libel upon Lord Castlereagh, Mr. FINNERTY appeared, and the libel being read, Mr. CLIFFORD for the defendant stated he had some affidavits to put in. Mr. FINNERTY however wished to ask, whether if he were assisted by Counsel in the legal parts of the case, he was precluded from addressing them himself?—The Court said, he either appeared by Counsel, or he did not. If he appeared by Counsel, he could not be heard himself.—Mr. FINNERTY replied, that he then wished to be considered as not appearing by Counsel.—He put in a long affidavit, which was partly read, when the further reading was interrupted by the Court.—The affidavit included in it copies of affidavits of a number of persons made in Ireland, and arraigned the whole conduct of Government, during the time that Lord Castlereagh was in administration in Ireland.—The Court at length said, this was an aggravation of the libel. They could not go into an investigation of the general conduct of Government at any particular period; they must confine themselves to the transaction stated on the record.

Mr. FINNERTY stated, that he had accused Lord Castlereagh of misconduct and oppression in his official situation, and therefore it was open to him to go into an investigation of his public conduct. This had been done in other cases.

Mr. GARROW said, he unwillingly interfered, but it appeared to him, that the course which the defendant was pur-

suing might be attended with the most mischievous consequences. He was justifying a libel in the gross, by an accumulation of libels in the shape of an affidavit. The moment this affidavit was upon the files, the defendant or any body else might publish it as part of the proceedings in the cause, and the prosecutor could have no remedy.

Mr. FINNERTY disclaimed any such intention, and said he was unjustly accused in the supposition.

Lord ELLENBOROUGH said, the Court could not suffer the admission of such an affidavit. He advised the defendant to withdraw it, and the Court would forget that such a one had ever been presented: he thought the defendant had better resort to some professional advice, and not present an affidavit which must do him harm, but rather one that should be beneficial to him.

After some other observations from Mr. F. and the Counsel on the other side, Mr. F. agreed to withdraw his affidavit; and he was committed, and ordered to be brought up again on Thursday next.

ACCIDENTS, OFFENCES, &c.

Sunday afternoon, about two o'clock, as a well-dressed, elderly Gentleman, apparently in good health, was going down Cheapside, he suddenly dropped down dead. He was immediately taken on a shutter into Bow Church.

On Thursday week, at eight o'clock in the evening, a fire was discovered in the Royal Dock Yard at Woolwich, issuing from one of the houses of the Master of the Survey. Great consternation prevailed; the gates were immediately locked, and the guard were very prompt in rendering every assistance. The wind appearing to increase, considerable apprehensions were entertained for the safety of the stores; but the fire was extinguished without much damage.

A fire broke on Monday night, at No. 4, St. Martin's-street, but was speedily extinguished by the exertions of the people of the house, assisted by the neighbours.—On the same evening, about ten o'clock, a house in the Minories took fire, which burnt with great rapidity, and soon communicated to the adjoining building, and after doing much damage it was extinguished.—A third fire was discovered in the counting-house of Mr. Royds, in Bucklersbury, which entirely destroyed the interior of the same.—And a fourth broke out at Battle-bridge, about eight o'clock, which, after destroying part of the premises, was got under without doing greater damage.

An Inquest was held at the Harrow, in Poplar, on the bodies of three Lascars, named Gulla Chusham, Mambrach, and Hyadah, who had been brought into this country in the Cornwallis East Indiaman. It appeared in evidence, that these persons had been in England the greater part of the winter, and had come from their native land in what is called a country ship. The medical attendant who had been called in, stated, "he had attended the sick for about ten days. They had accommodations, *but not, according to his opinion, such as were proper*, though as good as the ship afforded. The cold weather was prejudicial to them. Their diseases were chiefly coughs, chilblains, and rheumatisms. Their disorders might arise from the climate or the cold weather, or bad air of the ship." The witness did not think at present there was any medicine on board suitable to the complaints of the Lascars. As to diet, they had rice, &c. such as they are accustomed to live on. No violence was offered to the men to his knowledge, and he believed they died from their complaints. The men appeared to be all under 30 years of age.—The Jury returned their verdict specially—"*That the parties died for the want of proper accommodations and sufficient medicine.*"

DEATHS.

On Thursday week, at Cappaghvicar, near Castlebar, at the age of 110 years, Mr. Edward Maley.

At Plymouth the Lady A. Sandford, daughter of Alexander Earl of Antrim, and sister of the late Marquis of Antrim.

On Friday week, at Bath, Colonel Robert Brooke, of the East India Company's service, aged 72.

AUGUSTINE PENTHENY, ESQ.—This singular character died on the 23d November last, in the 83d year of his age, in an obscure lodging in Leeson-street. The last age, of which he was an early member, has not produced a character of a more eccentric manner of thinking, of one regulated by greater parsimony. He was a miser of the most perfect drawing that nature has given to the world. From the low and laborious condition of a journeyman cooper, he accumulated the enormous sum of 300,000*l.* in the Islands of Antigua and Santa Cruz. He was born in the village of Longwood, county of Meath, and was very early in life encouraged to make a voyage to the West Indies, to follow his trade, under the patronage of his maternal uncle, another adventurer of the name of Gaynor, better known amongst his neighbours by the name of *Peter Big Brogues*, from the enormous shoes he was mounted in on the day he set out on his travels. Peter acquired an immense fortune, and lived to see his only child married to Sir George Colebrooke, chairman to the East Indin Company, and a banker in Dublin, to whom Peter gave with his daughter two hundred thousand pounds.—Mr. A. Pentheny saw mankind only through one medium: his vital powers were so diverted from generous or social objects, by the prevailing passion of gold, that he could discover no trait in any character, however venerable or respectable, that was not seconded by riches: in fact, any one that was not rich he considered as an inferior animal, neither worthy of notice, nor safe to be admitted into society. This extraordinary feeling he extended to female society, and if possible with a greater degree of disgust.—A woman he considered only as an incumbrance on a man of property, and therefore he never could be prevailed upon to admit one into his confidence. As to wedlock, he utterly and uniformly rejected any idea of it. His wife was the public funds, and his children guineas, and no parent or husband paid more deference or care to the comforts of his family. He was never known to separate his immense hoard, by rewarding a generous action, or alleviating a premature or accidental misfortune, by the application of one shilling to such purposes. It could scarcely be expected he would bestow a gift or extend a gratitude to others, he was so niggard of comforts to himself. The evening before he died, some busy friend sent a respectable physician to him, at which the old miser did not shew any apparent dislike, until he recollected the Doctor might expect a fee; this alarmed him, and immediately raising himself in the bed, addressed the Irish Esculapius in the following words:—"Doctor, I am a strong man, and know my disorder, and could cure myself, but as Mr. Nangle has sent you to my assistance, I shall not exchange you for any other person, if you can come to an understanding; in fact, I wish to know what you will charge for your attendance until I am recovered?" The Doctor answered, eight guineas.—"Ah! Sir," said the old man, "if you knew my disorder you would not be exorbitant; but to put an end to this discussion I will give you six guineas and a half." The Doctor assented, and the patient held out his arm with the fee and to have his pulse considered, and laid himself down again.—His relations were numerous, but not being in his opinion qualified, for want of experience in the management of money, to nurse his wealth, he bequeathed the entire of it to a rich family in the West Indies, with the generous exception of four pounds annually to a faithful servant, who lived with him 24 years. In the will he expresses great kindness for poor John, and says he bequeathed the four pounds for his kind services, that his latter days may be spent in comfortable independence! Like Thellusson, he would not allow his fortune to pass to his heirs immediately, as he directed that the entire shall be funded for 14 years, and then, in its improved state, to be at the disposal of the heirs he has chosen. For the regulation of his last will and testament, he appointed Walter Nangle, Esq. and Major O'Farrel, late of the Austrian army, his Executors, and the Right Honourable David La Touche, and Lord Fingal, trustees.—*Dublin Evening Post.*

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